

## HAMIOTA MUNICIPALITY

### BY-LAW NO. 2/2016

**Being** a By-law of the Hamiota Municipality to establish a rate for police and recreation services as a special service in the urban community of Hamiota (formerly the Town of Hamiota) for the year 2016

**WHEREAS** the Council of Hamiota Municipality has prepared Special Service Plan No. 001 to establish a rate for police and recreation support services as a special service pursuant to Part 10 of *The Municipal Act*;

**AND WHEREAS** the requirements as prescribed in Sections 318, 319 and 320 of *The Municipal Act* have been complied with.

**The Municipal Act states as follows:**

#### **Definition**

**310** In this Division, "**potential taxpayer**", in relation to a local improvement plan or by-law or a special services proposal or by-law, means a person who would, if the local improvement or special service were approved by by-law, be liable to pay for the local improvement or special service

#### **Special service**

**312** If approved by by-law, a municipality may provide, as a special service to all or part of a municipality, one or more of the following:

- (g) recreation support services;
- (i) fire and police protection services;

#### **Plan or proposal**

**313** A municipality must prepare a local improvement plan or special service proposal if the local improvement or special service has been

- (a) proposed by the council;
- (b) requested by the committee of a local urban district; or
- (c) requested in a petition to the council signed by at least 2/3 of the potential taxpayers under the plan or proposal.

#### **Content of proposal**

**314** A special service proposal must

- (a) describe the proposed service;
- (b) describe the area of the municipality to which the service is to be provided and in respect of which the special services tax is to be imposed;
- (c) state the estimated cost of the service; and
- (d) state the proposed method and rate to be used for calculating the special service tax.

#### **Basis for calculating taxes**

**316(1)** Local improvement taxes or special services taxes must be calculated on the basis of one or more of the following:

- (a) the portioned value of assessable property that is real property;
- (b) the annual rental value of premises as assessed for the purpose of a business tax;
- (c) an amount for each unit of area of the lands benefited by the improvement or service;
- (d) an amount for each unit of frontage of the lands benefited by the improvement or service;
- (e) an amount for each business;
- (f) an amount for each parcel of land.

#### **By-law to approve plan or proposal**

**320(1)** Subject to subsections (2) to (6) and subsection 321(4), a council may by by-law

- (a) approve the local improvement or special service as set out in the plan or proposal; and
- (b) authorize the municipality to impose taxes as set out in the plan or proposal.

**NOW THEREFORE BE IT RESOLVED** the Hamiota Municipality duly assembled enacts as follows:



1. THAT pursuant to subsection 320 (1) of *The Municipal Act*, Hamiota Municipality approves Special Service Plan No. 001 attached hereto as Schedule "A".
2. THAT the Hamiota Municipality levy an annual special services tax upon all taxable and grant-in-lieu properties within the urban community of Hamiota in the Hamiota Municipality as hereby attached in Schedule "B."

**DONE AND PASSED** by the Council of Hamiota Municipality in regular session assembled at the Council Chambers in the Hamiota in the Province of Manitoba, this \_\_\_\_ day of \_\_\_\_\_ 2016

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Reeve

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Chief Administrative Officer

READ a first time this day of \_\_\_\_\_, 2016

READ a second time this day of \_\_\_\_\_, 2016

READ a third time this day of \_\_\_\_\_, 2016



**HAMIOTA MUNICIPALITY**  
**SCHEDULE "A" TO BY-LAW NO. 2/2016**  
**SPECIAL SERVICES PLAN NO. 001**

Pursuant to Section 314 of The Municipal Act

Establishing a rate for police and recreation services as a special service within Hamiota Municipality

**DESCRIPTION OF PROPOSED SPECIAL SERVICE**

Hamiota Municipality provides for police and recreation services to all properties within the boundaries of Hamiota Municipality. Under By-Law No. 5/2015 Hamiota Municipality shifted the cost of these services from the former Town's general mill rate to a special service per parcel rate. Under this Plan, as By-Law No. 5/2015 expired at the end of 2015, Council is proposing to continue the per parcel levy on the urban community (former Town) for the year 2016.

**SPECIAL SERVICE AREA TO BE LEVIED**

The Special Service Tax will be levied on all rateable property – taxable and grant-in-lieu within urban community (former Town of Hamiota) in Hamiota Municipality limits as described in Schedule "B" attached hereto.

**ESTIMATED COST OF THE SPECIAL SERVICES**

The estimated cost of the Special Service Plan for 2016 as follows

SERVICE	GROSS EXPENSE	REVENUE	NET LEVY
Police Services	148000.00	1000.00	147000.00
Recreation	30000.00	0.00	30000.00
<b>TOTAL</b>			<b>177000.00</b>

2016	177,000.00
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**METHOD AND RATE OF CALCULATING THE SPECIAL SERVICES TAX**

Method of Calculating the Special Services Tax shall be an equal amount per parcel of land. The rate will be established by dividing the entire expense by the amount of properties.

In 2016 the Town of Hamiota has 429 properties divided by the total expense of \$177,000.00 equals a levy of \$412.59 per parcel.

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Tom Mollard  
 Chief Administrative Officer  
 Hamiota Municipality

